

PUBLIC CHAPTER NO. 1110**SENATE BILL NO. 2220****By Kyle****Substituted for: House Bill No. 2279****By Fitzhugh, Odom, Mumpower**

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 30, relative to state employees.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. (a) Due to a loss of federal funding caused by the promulgation of final rules (effective March 3, 2008) by the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services in the December 4, 2007 Federal Register (72 Fed Reg. 68077), implementing case management provisions authorized by Sections 1905(a)(19) and 1915(g) of the Social Security Act, in accordance with Section 6052 of the Deficit Reduction Act of 2005, the commissioner shall be authorized to identify and reorganize and/or abolish up to one hundred fifty (150) positions within the Department of Children's Services notwithstanding any provisions of law to the contrary, including §§ 8-30-208(f), 8-30-309, and 8-30-320. Such reorganization shall be accomplished in order to ensure continued progress and compliance with the provisions of the Brian A. settlement agreement.

(b) Notwithstanding any provisions of law to the contrary, any involuntary reduction in rank sustained by any career service employee as a result of this section shall not result in any diminution of current salary.

(c) Any involuntary reduction in rank sustained by any career service or executive service employee under this section shall not be considered a grievable matter.

(d) Any action taken by the commissioner under this section shall take place on or before October 1, 2008.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 21, 2008



RON RAMSEY
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 13th day of June 2008



PHIL BREDESEN, GOVERNOR